

RESPONSE TO ELECTION OF SPECIES REQUIREMENT
U.S. Appln. No. 10/049,670

REMARKS

On page 2 of the Office Action, the Examiner issues an Election of Species Requirement to one of the inventions of the following species:

Formula 2, containing TM, R¹, L¹, OC and L⁴ (Claims 55, 57-60, 67-70 and 79-80), or

Formula 2A, containing TM, L⁴, R⁷, L³, R⁶, L¹, L², R³ and R⁴ (Claims 56-57, 61-66, 71-78 and 81)

Specifically, the Examiner contends that the species do not relate to a single inventive concept because although Formula 2A is dependent from Formula 1 (*sic* Formula 2), they are technically different compounds and would not infringe upon the other, as the only commonalities between the two formulas are moieties TM, L⁴ and L¹, which can not be categorized as the special technical feature.

Accordingly, Applicants hereby elect Formula 2A without traverse. Prior to this amendment, the claims which correspond to the elected species re Claims 56-57, 61-66, 71-78 and 81. After this amendment, the claims which correspond to the elected species also include Claims 58-60, 67-70, 79 and 80.

Applicants note, that on page 2 of the Office Action, the Examiner states that upon allowance of a generic claim, Applicants will be entitled to consideration of additional species which are written in dependent form, or otherwise include all of the limitations of the allowed generic claim.

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The Examiner is invited to contact the undersigned at his Washington telephone number on any questions which might arise.

Respectfully submitted,



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